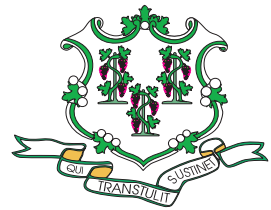




DEPARTMENT OF ADMINISTRATIVE SERVICES



STATE OF CONNECTICUT

TO: AGENCY PERSONNEL ADMINISTRATORS

DT: June 30, 2006

RE: General Letter No. 29 – **REVISED**
Temporary Services in a Higher Class

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Linda J. Yelmini
Commissioner

This General Letter is hereby revised to require that the Department of Administrative Services (DAS) approve all original requests for and extensions of temporary service in a higher class. This replaces General Letter 29 dated May 25, 2000, Official Memorandum 96-31/PA 20 and 96-40/PA 26 and deems decentralization of all Temporary Service in a Higher Class (TSHC) appointments obsolete.

All current TSHC appointments must be reviewed and approved by DAS Human Resources Liaisons (DAS HR Liaisons) by August 1, 2006.

- If the appointment end date is after August 1, 2006, a CORE-CT transaction is not required; however, the agency must submit appropriate paperwork for DAS review prior to August 1, 2006.
- If the appointment end date is before August 1, 2006 and an extension is necessary, the request to extend must be approved by your DAS HR Liaison prior to the appointment end date.

Please refer to the sections entitled "Centralization" and "TSHC Extensions Beyond Six Months" for documentation requirements, as each situation requires.

AUTHORITY

In accordance with C.G.S. §5-209, payment for Temporary Services in a Higher Class may be made "when any State employee ... is assigned duties and responsibilities of a job classification higher than the class in which the employee is placed, which assignment has been approved by the Commissioner of Administrative Services, and who works in such assignment on a continuous basis for a period of more than [60] days at a rate in the higher class..." Collective bargaining agreements superseding this statute authorize payment after 30 consecutive calendar or workdays. Management Personnel Policy 81-1 also refers to TSHC for managerial and confidential employees and states, "A managerial employee who is assigned to perform temporary service in a higher class shall, beginning with the thirty-first consecutive calendar day, be paid for such actual work, retroactive to the first day of such service, at the higher rate as if promoted to the higher class."

APPLICATION

Assignments of higher-level duties are appropriate in certain, limited situations. For example:

- To cover the duties and responsibilities of an employee on an extended leave of absence (paid or unpaid), for example: absences due to military call-up, sick leave or Workers' Compensation and which is expected to be for a period of time greater than one month.
- In very rare situations, TSHC appointments may be approved to cover the duties and responsibilities of a vacant position until the position may be filled on a permanent basis.

RESTRICTIONS CONCERNING TSHC APPOINTMENTS

The following restrictions apply for all TSHC appointments:

- Bargaining unit employees are not eligible for TSHC appointment in a non-bargaining unit position.
- Non-bargaining unit employees are not eligible for TSHC appointment in a bargaining unit position.
- Agencies must establish a temporary position in order to appoint an individual on a TSHC basis when the absent employee is expected to remain on the payroll for more than four (4) weeks.
- TSHC appointments are not to be used to circumvent the filling of a vacancy and the use of Reemployment, SEBAC or Examination Lists.

CENTRALIZATION

Effective immediately, the Commissioner of Administrative Services returns responsibility of reviewing and approving requests for TSHC for all classes to DAS via DAS HR Liaisons. Therefore, requests for TSHC (Form CB-1) must be submitted to and approved by your DAS HR Liaison prior to the assignment of higher-level duties and, in extenuating circumstances, resubmitted at six (6) month intervals. Although verification of each employee's credentials will take place during the DAS review, agencies should ensure that the employee meets the minimum experience and training requirements of the higher class before submitting the Form CB-1 to DAS.

Agencies must submit the following documentation when requesting approval for TSHC:

- Form CB-1 (Request for Temporary Services in a Higher Class)
- State of Connecticut Application Form (PLD-1)
- Table of organization

TSHC EXTENSIONS BEYOND SIX MONTHS

In extenuating circumstances, TSHC appointments beyond six months may be approved by DAS. Agencies must provide the following documentation for DAS consideration when requesting to extend a TSHC appointment beyond six months:

- Form CB-1 indicating original TSHC appointment date
- Document outlining the reasons for extending the TSHC appointment beyond six months
- Recruitment efforts made and results of those efforts
- Status of agency's request for position refill, as appropriate
- Status of examination request and examination certification list, as required
- Table of organization

GUIDELINES

The following guidelines apply for all TSHC appointments:

- A State of Connecticut employee is eligible for appointment to a position on a TSHC basis provided s/he meets the experience and training requirements of the higher classification.
- The employee approved to work TSHC becomes eligible for payment in the higher class retroactive to the date s/he assumed such higher duties beginning on either the 31st consecutive calendar day or 31 consecutive working day as required under the applicable [collective bargaining agreement](#) or [Management Personnel Policy 80-1](#)
- The base rate of compensation in the higher class is calculated as if a regular promotion has occurred.
- Other benefits, such as the rate of vacation accrual, longevity payments, or lump sum vacation payments (should the employee separate while still engaged in his/her TSHC assignment), are based upon the eligible employee's lower classification.
- If there is a difference in the number of hours an employee is expected to work as a result of TSHC assignment into a job class within a different bargaining unit, the employee shall work the number of hours required of the higher position.

TSHC WITHIN THE SAME BARGAINING UNIT

Language in various collective bargaining agreements refers to the salary computation of employees in a TSHC appointment “as if promoted thereto”. If the TSHC assignment is within the same collective bargaining unit, it is important to remember:

- If an annual increment and/or general wage increase occurs during the period of TSHC, the employee is entitled to the adjustment. Adjustments are to be based on the higher class.
- Longevity payments are based on the eligible employee's lower classification.
- If the employee separates from State service, lump sum vacation payments are based on the eligible employee's lower classification.

TSHC APPOINTMENTS TO A DIFFERENT BARGAINING UNIT

When the TSHC assignment is to a different bargaining unit, union dues are deducted in accordance with the employee's base (permanent) position. Additionally, the initial base salary adjustment is determined as a traditional promotion. However, for subsequent salary adjustments, remember:

- 1) The employee is entitled to subsequent salary adjustments only if required under his/her lower class bargaining unit.
 - a) If the employee is eligible for subsequent salary adjustment(s), calculate what the employee's salary would have been had s/he never left the lower classification then recalculate the temporary promotion into the higher classification.
 - b) Make adjustment to the employee's salary if a change to the TSHC salary is required.
- 2) If the pay plan for the TSHC position is adjusted to reflect a general wage increase but the contract for the employee's permanent position does not provide for an increase:
 - a) Review the employee's salary in the lower class then recalculate his/her promotion to the TSHC position using the new pay plan.
 - b) Make adjustment to employee's salary if a change to the TSHC salary is required.
 - c) In no case can the employee be paid below the minimum or beyond the maximum position rate for the TSHC assignment.

This recalculation process is necessary to ensure compliance and consistency with the applicable contract or statutory provisions as compensation requirements may differ across bargaining units. *Adjustments may or may not result in placing the employee at a different step in the TSHC position.*

TSHC APPOINTMENTS WITHIN MANAGEMENT OR CONFIDENTIAL JOB CLASSES

When the TSHC assignment is within the Management or Confidential job classes, the initial base salary adjustment is determined as a traditional promotion up to the maximum rate of the salary grade of the higher-level job class. However, for subsequent salary adjustments, remember:

- 1) The employee is eligible to receive authorized salary increases up to the maximum position rate of the higher-level job class.
- 2) If the pay plan is adjusted to reflect a Cost of Living Adjustment (COLA), process the increase on the higher job class and pay the employee at this new rate of pay. Simultaneously, update the salary for the employee's permanent record for historical purposes and so that the record is up-to-date when the employee's TSHC assignment ends.

NOTE: Questions concerning PARS will be addressed via the PARS FAQs.

RETURN TO PERMANENT POSITION

Upon completion of TSHC assignments, all employees will be returned to their prior permanent class at the salary they would have been receiving had they served in the lower class assignment without interruption.

This recalculation process is necessary to ensure compliance and consistency with the applicable contract or statutory provisions as compensation requirements may differ across bargaining units. *Adjustments may or may not result in placing the employee at a different step in the base (permanent) position.*

In accordance with C.G.S § 5-209, "service in a higher classification under this section shall not constitute permanent status."

QUESTIONS ABOUT TSHC ELIGIBILITY AND/OR APPROPRIATENESS

Agency HR Professionals are encouraged to consult with their assigned DAS HR Liaison if they have any concerns about the appropriateness of a TSHC appointment and/or qualifying experience.

QUESTIONS ABOUT TSHC SALARY CALCULATIONS AND ADJUSTMENTS

Contact the DAS Business Rules and Central Audit Unit if you have questions concerning salary calculations and/or salary adjustments for employees serving in a TSHC assignment via e-mail at Lisa.Chasse@CT.Gov Pauline.Mahoney@CT.Gov Michael.Cosgrove@CT.Gov

QUESTIONS CONCERNING INTERPRETATION OF GENERAL LETTER

Questions concerning the content of this General Letter should be addressed via e-mail to Shari.Grzyb@CT.Gov Heather.Tweeddale@CT.Gov

Agency employees with questions concerning the content of this General Letter are encouraged to contact their agency Human Resources office directly.

Pamela L. Libby

PAMELA L. LIBBY, PH.D.

DIRECTOR – STATEWIDE HR MANAGEMENT